

ARGUMENTS/REMARKS

Claims 1-13, 15, 17-34 and 36-41 and 46-49 are currently pending in the present application. Claims 1, 3, 4, 9, 20, 32, 36, 37, have been amended and new claim 50 has been added. Claims 10, 14, 16, 29, 35, 41-45 have been cancelled without prejudice.

The specification is objected to for failing to provide proper antecedent basis for the claimed subject matter in accordance with 37 CFR 1.75(d)(1) and MPEP608.01(o). The amendments introduced to the claims have rendered this objection moot.

Claims 1, 20 and 46 are rejected under 35 U.S.C. §112 for failing to comply with the written description requirement, as failing to show support for “capture devices capture activities occurring in or near a command and control center”.

Claims 1 and 20 have been amended thereby rendering this rejection moot. Applicant could not find the specified phrase in claims 46 and 48.

In the office action, claim 41 has been rejected under 35 U.S.C. §102 as being anticipated by Anthony et al. (US6,559,769) (hereinafter "Anthony"). Claim 41 has been cancelled so this rejection is rendered moot.

In the office action, claims 1-13, 15, 17-34, 36-40 and 46-49 have been rejected under 35 U.S.C. §103 as being unpatentable over Anthony in view of Sander (US4,888,652) (hereinafter "Sander").

Independent claim 1 is directed to an apparatus for recording, playback, and investigation of an event associated with a transportation vehicle, from at least two synchronized streams carrying audio and video and data information associated with the transportation vehicle. The transportation vehicle is in communication with a command and control center. The apparatus has at least two capture devices for capturing the audio and video streams which depict activities associated with the event. The apparatus also includes at least one recording device for recording the at least two streams depicting the activities associated with the transportation vehicle in synchronization. The apparatus further has at least one communication device for communicating the at least one of the at least two

recorded streams to a monitoring station; and an investigative tool for debriefing the event at a later stage. The apparatus comprises also a multi-channel multimedia recording application that receives and records data information from the capture devices, and information transmitted from the command and control center. The multi-channel multimedia recording application records the data indexed and formatted into a database.

Independent claim 20 is directed to a method for the recording, playback, and investigation of an event associated with a transportation vehicle, from at least two synchronized streams carrying audio, and video, and data information associated with the transportation vehicle. The transportation vehicle is in communication with a command and control center. The method includes the steps of receiving the at least two streams carrying audio and video and data information, depicting activities associated with the event, from at least two capture devices. The method further includes recording in synchronization the at least two streams depicting the activities in or near the transportation vehicle and data information transmitted from the command and control center, by at least one recording device. The method further provides for a multi-channel multimedia recording application; communicating at least one of the at least two recorded streams to a monitoring station by a communication device, and debriefing the event at a later stage. The command and control center is located remotely from the transportation vehicle, and wherein the multi-channel multimedia recording application records the data indexed and formatted into a database.

Sander does not teach capturing streams of different types. Claim 1 now provides that for the capturing of audio, video and data information. Sander relates only to audio capturing, while Anthony relates only to video capturing. Although video capturing includes audio, it still constitutes a single type of signal. Neither Anthony nor Sander disclose or suggest recording of information in addition to data information.

The disclosed application relates to capturing streams from a transportation vehicle and from a command and control center, which is located remotely from the vehicle. Further, neither Anthony nor Sander disclose either alone or in combination, a multi-channel multimedia recording application that receives and

records data information from the at least two capture devices capturing activities in or near the transportation vehicle, and information transmitted from the command and control center. The command and control center being located remotely from the transportation vehicle.

Anthony relates to monitoring a facility or a vehicle, and thus does not relate to capturing data from any remote geographic location, and specifically not from a related command and control center. Anthony is only aimed at monitoring, thus only whatever happens on the scene is of value. In contrast, independent claims 1 and 20 teach a multi-channel multi-media recording application that receives and records information transmitted from the command and control center. The disclosed application is also aimed at post-investigation and thus teaches also capturing information transmitted from the command and control center. Only the capturing of information at the vehicle and at the command and control center enables the full investigation of an event, to evaluate the behavior of the crew on board of the vehicle, as well as the handling of the emergency services handling the event remotely.

Sander does not remedy this deficiency of Anthony. Sander specifically teaches logging communication in a single location: col. 1 ll. 49-50: "Communications loggers typically are used to make continuous or nearly continuous recordings of all telephone or radio communications to and from a single location, such as a police station or fire station.". Thus, Sander teaches away from the disclosed application, in that it limits itself to not logging information from an additional geographic location. Reconsideration and removal of the 35 U.S.C. §103 rejection are respectfully requested.

Neither Anthony nor Sander disclose or suggest synchronizing streams of different types and locations. Independent claims 1 and 20 requires capturing different types of streams and data, which are also collected in different locations. Thus synchronization must be performed in order to investigate the associated event and examine it as it unfolds second-by-second. There is no structure recited in either Anthony or Sander for performing such a function.

Anthony relates to video capturing for monitoring purposes, while Sander relates to audio communication recorder (col. 1 lines 49-50: “phone or radio communication”; col. 4, lines 38-39: “all incoming or outgoing calls...”).

The current application requires the receipt and recordation of information transmitted from the command and control center and the capture of data streams, carrying objective technical data, see par. 29: “A data capture device 36 could be linked to the control systems and the sensors of the aircraft to collect navigational data, altitude or spatial-related data, speed data, engine and fuel information, environmental data (both internal and external), auxiliary systems and the like.”. This element is not disclosed in either Anthony or Sander.

Further, the prior art does not teach storing the data indexed and formatted into a database. Although both Anthony and Sander disclose recording the streams, the streams are recorded as raw information. In Sander, there is a time and machine indication per tape, but no direct access is enabled to particular content.

In the disclosed application, formatting the streams enables accessing, retrieval and further analysis of the recorded streams. Par. 33: “The multi-channel multimedia recording application 116 receives and records data transmitted from a transportation vehicle or from a remote command and control center and records the data suitably indexed and formatted into the database 120. The multimedia control analysis and retrieval application 118 enables processing, analysis, and retrieval of recorded data.”

Thus, claims 1 and 20 require elements that are not disclosed in either the Anthony patent or the Sander patent, either alone or in combination.

Dependent claims 2 through 9, 11 through 13, 15 and 17 through 19 depend from independent claim 1 and are therefore allowable. Dependent claims 21 through 28, 30 through 34, 36 through 40 and 46 through 50 depend from independent claim 20 and are also allowable for the reasons stated above.

In view of the above explanations and amendments applicant believes that the application is now in order for allowance, allowance of all the claims is respectfully requested.

Respectfully submitted,

March 10, 2009
Date

Charles N.J. Ruggiero

Charles N.J. Ruggiero

Reg. No. 28,468

Attorney for the Applicants

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor

Stamford, CT 06901-2682

Tel: 203-327-4500

Fax: 203-327-6401